

ORDINANCE NO. 106

**AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE NAPA SANITATION DISTRICT, AMENDING DISTRICT CODE
SECTION 5.04 DEVELOPMENT FEES TO MODIFY INSPECTION FEES AND
ESTABLISHED A NEW INFLATION FACTOR**

WHEREAS Napa Sanitation District (“NapaSan”) has established fees by Ordinance for the review and inspection of development projects; and,

WHEREAS, the fees have been set to recover the estimated cost of providing the development review and inspection services; and,

WHEREAS, NapaSan desires to establish new inspection fees for some types of inspections that are not identified in District Code; and,

WHEREAS, NapaSan desires to waive the inspection fee for the replacement or rehabilitation of private residential laterals as an incentive to encourage homeowners to conduct repairs that benefit both the home owner and NapaSan, provided that the homeowner secures the proper permits prior to conducting the work; and,

WHEREAS, some inspections are requested to be completed at times that would place NapaSan employees in an overtime situation, and it is fair and reasonable to charge for these inspections at a higher rate than when the employees are working their regular schedule; and,

WHEREAS, it is the intention of the Board to have the development fees increase annually by the Consumer Price Index (CPI), and not at the rate increases established under the Proposition 218 process in March 2016 for Sewer Service Charges.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE NAPA SANITATION DISTRICT:

SECTION 1. Section 5.04.020 of District Code, titled “Inspection Fees,” is amended to as follows:

5.04.020 Inspection Fees

The District shall charge an inspection fee to recover the costs of engineering, legal and administrative services associated with the inspection of building or development actions that add, alter or extend a connection to any component of District infrastructure. The following fee schedule establishes an inspection fee for each type of development action.

The General Manager is authorized to establish administrative rules and procedures for collecting modified inspection fees as needed to recover the full costs of engineering, legal and administrative services.

The Inspection Fee includes one inspection and one re-inspection. If additional inspections are required for approval, then fee is assessed again for each additional inspection.

Development Type	Inspection Fee
Public Lateral – Residential	\$179.00 per lateral
Private Lateral – New – Residential	\$179.00 per lateral
Private Lateral – Replacement or Rehabilitation – Residential	\$179.00 per lateral (Fee waived if permit secured prior to work beginning)
Residential Clean Out only	\$90 per cleanout
Tenant Improvement w/no outside site improvements	\$179.00
Public/Private Lateral - Commercial	\$357.00 per lateral
Grease Interceptor	\$179.00
Mainline	\$357.00 per 100 linear feet of mainline, or portion thereof

Inspection fee for inspections conducted prior to 8am or after 4pm on weekdays, or at any time on weekends or holidays observed by Napa Sanitation District, are charged at 1.5 times the fee listed above.

SECTION 2. Section 5.04.060 of District Code, titled “Annual Increase in Fees,” is amended as follows:

5.04.060 Annual Increase in Fees

Effective on July 1, 2018, and annually on July 1 thereafter, the fees identified in Section 5.04.010 through Section 5.04.050 shall increase by the Consumer Price Index for All Urban Consumers, San Francisco-Oakland-San Jose Metropolitan Area (1982-84 = 100), published by the U.S. Department of Labor’s Bureau of Labor Statistics, comparing the most recent December to the prior year December index, or the most comparable index if this index is no longer published by the Bureau, with the fees rounded up to the nearest whole dollar.

SECTION 3.

1. Severability. If any provision of the ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this ordinance are severable.
2. Within 15 days of adoption, this Ordinance shall be published in the Napa Valley Register, pursuant to California Health and Safety Code Sec. 4766 and California Government Code Section 25124.
3. Following a first reading of the title of this ordinance, which occurred at the regular meeting of the District Board, held on September 6, 2017, the foregoing ordinance was duly:

PASSED AND ENACTED at a regular meeting of the Board of Directors of Napa Sanitation District duly held on the 27th day of September, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jill Techel, Chair
Napa Sanitation District

ATTEST:

Cheryl Schuh, Secretary
Napa Sanitation District